



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR JEFF WRIGHT

MINUTES

NEWINGTON TOWN COUNCIL MEETING

October 14, 2008

Mayor Wright called the meeting to order at 7:00 PM in the Helen Nelson Room of the Newington Town Hall.

I PLEDGE OF ALLEGIANCE

II ROLL CALL

Councilors Present

Councilor Banach
Councilor Boni
Councilor Bottalico
Councilor Bowen
Councilor Cohen
Councilor Lenares
Councilor Nagel
Councilor Nasinnyk
Mayor Wright

Staff Present:

John L. Salomone, Town Manager
Ed Meehan, Town Planner

III PUBLIC PARTICIPATION - none

IV CONSIDERATION OF OLD BUSINESS

A Transfers within the Capital and Non-Recurring Expenditures Fund

Deputy Mayor Lenares moved the following:

CERTIFICATION:

In accordance with Section 808 of the Town Charter, I hereby certify that there exists, free from encumbrances, in the following appropriations in the Capital and Non-Recurring Expenditures Fund, the amounts listed below:

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
88819	Road Reconstruction/Resurfacing	\$115,000

Ann J. Harter, Director of Finance

RESOLVED:

That the Newington Town Council hereby transfers the above-certified funds in the Capital and Non-recurring Expenditures Fund to the following accounts in the Capital and Non-Recurring Expenditures Fund:

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
88215	Fire Department Resurfacing Program	\$10,000
88515	Sidewalk & Stonewall Repair	\$45,000
88517	Resurfacing Program – Parks & Grounds	<u>\$60,000</u>
	Total	\$115,000

Motion seconded by Councilor Bottalico. Motion passed 9-0.

B Appointment of Consultant for Municipal Parking Lot Improvement Project

Town Manager Salomone stated that the Downtown Revitalization Committee met on September 29, 2008 to review consultants from three different firms, and has recommended retaining BL Companies as the consultant for the project. Mr. Meehan commented that the Committee was very careful in its selection and held good discussions after the interviews. He stated that the Committee is looking for a professional group of this quality for construction oversight during the project. He stated that the final three presenters were all qualified, skilled firms but noted that BL Companies' proposal not only met the Committee's qualifications but is also pragmatic and realistic in terms of the construction timeline.

Councilor Cohen noted that the Kiwanis Club is very concerned about what will happen to its flea market, which meets in that parking lot for ten Sundays in the spring and ten Sundays in the fall. Mr. Meehan replied that as the project evolves the Committee and the Town will need to sit down with property stakeholders, business owners and area residents and stated that the Committee recognizes the importance of having a construction schedule that accommodates all requirements of the lot. He noted that the area encompasses almost four acres of land and stated that it is important that the Committee recognizes the complexity of the use of the area.

Councilor Cohen inquired whether there are any deed restrictions on the donated portions of the property. Mr. Meehan answered in the affirmative and elaborated that seventy-percent of the land is specifically deed restricted and noted that property recently turned over by the Patz family and other property does not have specific deed restrictions. He noted that when the Town Council accepted properties from the Patz and other families in the mid-1990's it received a referral report from the TPZ that specifically refers to municipal parking lot purposes. He stated that information has been turned over to the Town Attorney for advice. Councilor Cohen inquired about the Bonelli property. Mayor Wright replied that the Bonelli property is an important component of the project and stated that the Committee has reached out to Mr. Bonelli and noted that it will need further discussion as the project progresses. He remarked that once the Committee starts to look at potential designs and functions for the area there will be many questions to be addressed and stated that there will be more stakeholder meetings in the future as the design develops. Councilor Cohen inquired whether some of these questions should be answered prior to signing an architect or developer. She also inquired how the project will be handled through the Town's budgetary process. Town Manager Salomone replied that the funding will come under the special projects grants under the capital non-recurring category and will be prepared as a special project. He stated that this designation is used on occasion when the Town receives a grant after the start of the fiscal year. Councilor Cohen inquired how the appropriation is made. Town Manager Salomone replied that when the Town receives the grant the Council has to authorize the Town Manager to

enter into agreement to receive the funds. Councilor Cohen inquired whether this is a special appropriation. Town Manager Salomone replied that it would fall under a special project appropriation but not in the sense that it is an additional appropriation to the budget – it would fall into the category of capital non-recurring, which is not part of the general fund. Councilor Cohen stated that even though special revenue and special accounts don't affect the mill rate they are still part of the Town's budget process and noted that this project has not come before anyone. Town Manager Salomone replied that the funding does go before the Council because the Council has to authorize the Town Manager to enter into the final agreement to approve the funds. Councilor Cohen stated that she has a problem with the process not going before the public. Mr. Meehan stated that there are no matching funds involved with the funding for this project. Councilor Cohen noted that funds for projects such as Eddy Farm, NHS track, and NHS air-conditioning came in under State funds received in the budget book. Town Manager Salomone replied that when the Town applies for grants during the year they are not booked as budgetary revenue until the funds are received, at which time they are accounted for under capital projects and special grants fund. Councilor Cohen inquired whether the Town should wait until it receives the grant money to pay the architect. Town Manager Salomone replied that it will depend on the final specifics of the grant and stated that the details should be available within the next few days. He stated that the Town will not encumber any funds until the details are known.

Councilor Bowen inquired whether there is any concern that the Town will not receive the full grant funding. Mr. Meehan replied that as of that morning the liaison at the State Department of Economic and Community Development has reported that the request is making its way through the Commissioner's office and noted that he did not state that the funding was in jeopardy. He noted that the Council authorized the Town Manager to apply for the grant funds in August and noted that the application was filed at the end of August. He stated that he has had some correspondence with the DECD to clarify some of the items and explained that the DECD has fine-tuned the project budget and it is now going up the chain of command for sign-off. He stated that the Town should have an agreement by early in the following week, at which point the Town Manager can sign the agreement and the Committee can begin to incur costs. Mr. Meehan recommended that the Committee not incur any costs until the Town Manager has approved the agreement. Councilor Bowen inquired whether it would be wise to wait until the next meeting to pass the resolution in order for the Council to be sure about the funding, and expressed concern about contractual issues should the Council pass the resolution and then not receive the funding. Town Manager Salomone replied that even if the Council chooses to approve BL Companies as the consultant, BL Companies will still have to come back to the Town with a contract and stated that he will not enter into an agreement with the consultant until the funds are in place. Councilor Bowen inquired whether the Town would be required to commit to the contract if the Council passes this resolution and BL comes back with a reasonable contract. Town Manager Salomone replied that he will make sure that the contract includes wording regarding having the funding in place... (several people speak at once). Mr. Meehan suggested adding wording to the resolution that will make it contingent on the receipt of grant funding. Town Manager Salomone agreed. Mr. Meehan suggested adding the language: "contingent on receipt of Urban Action Grant Funds from DECD" to the resolution.

Deputy Mayor Lenares moved the following:

RESOLVED:

That the Newington Town Council hereby approves the recommendation of the Downtown Revitalization Committee and accepts the proposal of BL Companies of Meriden, CT for design consultant services for the Municipal Parking Lot Improvement Project for a base fee of \$117,100, contingent on receipt of Urban Action Grant Funds from DECD

BE IT FURTHER RESOLVED:

That the Town Manager, John L. Salomone, is hereby authorized to negotiate and execute the appropriate Agreement with BL Companies to provide design consultant services for this project.

Motion seconded by Councilor Bottalico. Motion passed 9-0.

C NHS Air Conditioning – Phase II – Authorize Project to go to Bid

Councilor Cohen indicated that the Committee has not yet received the report from the State Facilities Unit and stated that the Committee may have some more information after its next meeting scheduled for Thursday. The Council agreed to table the item until the next meeting.

V CONSIDERATION OF NEW BUSINESS

A Town Hall Building Committee – Name/Charge Change

Councilor Bottalico explained that the Committee has wrapped up on the boiler portion of the project and requested to reassign the existing members to the Town Hall Building Committee in order to move on to phase II and phase III of the Town Hall project. He stated that current members are himself, Councilor Bowen, Deputy Mayor Lenares, Dan Carson and Steve Woods.

Mayor Wright inquired about the status of the heating system project. Councilor Bottalico replied that the finish date is scheduled to be November 15. Town Manager Salomone stated that the new boiler will be tested over the weekend, with installation of the second boiler scheduled to follow by November 15. Councilor Bottalico explained that Bob Korpak is working on phase II –renovating the lower level (the former Police Department). Mayor Wright noted that the lower level is the potential future home of NCTV and the Newington Art League. Councilor Bottalico replied that the use of the bottom floor is still to be determined. Councilor Bowen suggested that the lower level is renovated first so that the various departments can relocate to that area while other parts of Town Hall are under renovation, and suggested that the heating system be updated in the various areas as the renovations occur in those areas. Councilor Bottalico indicated that the downstairs will utilize hot water heat rather than steam heat.

Councilor Cohen reminded the Council that there was once the Commissioner William M. Monnier Police Training Room that was paid for by Mr. Monnier's widow. She stated that the facility had been temporarily relocated out of Town due to the construction of the new Police Department and stated that the facility should return to the Town Hall. Councilor Bowen inquired whether the funding was for the dispatch area or specifically for the training area. Councilor Cohen replied that the funds were donated specifically for the training facility. Town Manager Salomone noted that the area has already been renovated into the dispatch area. Councilor Cohen noted that the training facility was temporarily moved out and should return to the Town Hall. Mayor Wright requested that Councilor Cohen speak to Mr. Korpak and the Committee about the history of the donation. Town Manager Salomone stated that he will research the item.

B Settlement Agreement

Mayor Wright explained that the Council is being asked to potentially take action on a settlement agreement with some retired Newington Police Officers. He stated that the process has been going on for about a year and commented that the agreement before the Council goes a long way on both sides towards working together and remarked that the agreement will improve the situation of both the retired Police Officers and the Town.

Councilor Nagel moved to waive the rules to read the resolution. Motion seconded by Councilor Boni. Motion passed 9-0.

Deputy Mayor Lenares moved the following:

RESOLVED:

That certain retired police officers of Local 443 of the International Brotherhood of Police Officers are Plaintiffs in a lawsuit filed against the Town of Newington, Lillis, et al. v. Town of Newington, CV-07-4015291, currently pending in Connecticut Superior Court, Judicial District of New Britain; and

That the Town of Newington and the Plaintiffs have reached an agreement which specifies the circumstances under which the Plaintiffs and their dependents will be eligible to be covered by Town of Newington provided group medical insurance while the Plaintiffs are working for other employers; and

That the terms of the agreement between the Town of Newington and the Plaintiffs are contained in a document entitled "Settlement Agreement and Full and Final Release of Claims" and executed by the Plaintiffs; and

BE IT FURTHER RESOLVED:

That the Newington Town Council hereby authorizes the Town Manager, John Salomone, to execute the "Settlement Agreement and Full and Final Release of Claims" and to take whatever actions are necessary to comply with the provisions and obligations contained therein.

Motion seconded by Councilor Bottalico. Motion passed 9-0.

Mayor Wright thanked the Police Officers and members of the Executive Committee for their work on the issue.

VI WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC - none

VII COUNCIL LIAISON/COMMITTEE REPORTS

Councilor Nagel reported on the following committees:

- NCTV
 - NCTV has sent a letter to the DPUC regarding the disagreement with Cox Communications involving allowing AT&T to broadcast NCTV programming. DPUC has received the letter, but NCTV is still awaiting a response and resolution on the matter.
 - NCTV is still working on the automator and other items to improve its facilities and broadcast.
- CRCOG
 - There was a presentation by MSW Consultants involving regional solid waste options in area communities. There was no resolution, just various presentations. The presentations indicated that it is more cost effective to go the regional route for solid waste management.
 - There were also favorable presentations regarding a single-stream process for recyclables.

Councilor Cohen reported on the following committees:

- Senior Center
 - The Senior Center is getting new cafeteria chairs, which are due to be delivered in December and will be funded by the Center's donation funds, not the Town budget.
 - The annual Senior Center Expo on September 26 was very well attended and received.
 - The Center now has 1,788 members.
 - The bowling group has increased from 30 participants last year to 50 participants this year.
 - 200-250 people use the Center on a daily basis.
- Youth-Adult Council
 - The Youth-Adult Council is offering a series of mini-grants in the place of its usual annual grant. The grants range from \$300 - \$1,500.

Councilor Bowen inquired about flu shots. Councilor Cohen replied that flu shots will be available Friday, October 17 at the Senior Center and stated that they are open to the entire Health District area residents. Councilor Bowen noted that there have been cases of the flu reported in the State already and urged Town residents and seniors to get their flu shots.

Councilor Bottalico reported that the Employee Insurance and Benefits Committee is scheduled to meet on Thursday, October 16, and will be interviewing a number of firms.

Councilor Bowen reported on the Board of Fire Commissioner's meeting and stated that the Fire Department has been very fortunate to have very good recruitment turnout with over twenty people recruited, but indicated that the Fire Department has not budgeted for so many new recruits and may come before the Council to request additional funding. Councilor Bowen noted that he requested the Department to check its budget carefully prior to coming to the Council.

Councilor Bottalico noted that the new fire truck for Company 3 is going out for inspection and delivery can be expected within a month.

VII PUBLIC PARTICIPATION

Robert Seiler, 83 Flagler Street: Mr. Seiler thanked the Council for the settlement agreement. He also stated that he is a member of the Kiwanis Club and requested that the Club be kept informed of the developments with the municipal parking lot. He noted that the Club has sent some letters to the Town that have gone unanswered

and requested that Kiwanis members be considered for part of the project building committee when the time is appropriate. He stated that the input of Kiwanis members is important and remarked that the Club draws a lot of people to the center of Town – over 1,000 people per weekend. He stated that the area business people are happy, and remarked that it has been a nice marriage and he would like it to remain that way.

IX REMARKS BY COUNCILORS

Councilor Cohen noted that the Town currently has an elderly tax relief program and inquired whether the Town, using State and Federal guidelines, can obtain a rough estimate of families in need in Town and create some kind of tax relief credit for these families similar to the elderly tax relief program. Town Manager Salomone inquired whether this program would be based on income rather than age. Councilor Cohen replied in the affirmative, and explained that it would be based on income and the number of members in the family. She stated that it would be separate from the program for the elderly. Councilor Bowen stated that while it is a good idea that information is very difficult to obtain. Town Manager Salomone replied that he would research the item with the Human Services Department and the Assessor.

Councilor Nasinnyk remarked that the Fifth Annual WaterFall Festival was a success and stated that a great time was had by all. She stated that it really transforms Market Square each year. She thanked those involved for a job well done. Mayor Wright agreed and noted that there are starting to be some nice traditions in the Town. Councilor Nagel stated that the WaterFall Festival demonstrated a positive sense of community and thanked those involved. Town Manager Salomone noted that he and the Mayor were guest lecturers at Ms. Scorzato's Social Studies class and remarked that the students spoke about wanting more community events.

Mayor Wright commented that he, the Town Manager, and the Deputy Mayor had a meeting with the Town's recycling contractor to try to work on a pilot program for single-stream recycling. He stated that the Town can save money by recycling more and throwing away less.

Mayor Wright thanked Officer Bill Jameson and Dispatcher Ed Patz, who have volunteered to organize Newington's participation in the Saint Patrick's Day parade.

Mayor Wright noted that he, the Town Manager and the Town Planner have met with the State DOT regarding the busway. He stated that one positive aspect of the meeting was that there will be a beautiful bike path/walking trail along the busway and he thanked the DOT for working with the Town.

X EXECUTIVE SESSION RE: PERSONNEL – not held

XI ADJOURNMENT

Councilor Bowen moved to adjourn the meeting at 7:51pm. Motion seconded by Deputy Mayor Lenares. Motion passed 9-0.

Respectfully Submitted,

Mrs. Jaime Trevethan
Clerk of the Council